

UNITED STATES OF AMERICA  
 NATIONAL TRANSPORTATION SAFETY BOARD  
 OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of:

COSCO BUSAN/BRIDGE ALLISION  
 SAN FRANCISCO, CALIFORNIA

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\* Docket No.: DCA-08-MM-004

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Interview of: CAPT. PETER McISAAC  
 CAPT. RICK HURT

Office of Marine Safety  
 National Transportation Safety Board  
 Washington, D.C.

Sunday,  
 November 18, 1007

The above-captioned matter convened, pursuant to Notice,  
 at 1:00 p.m.

BEFORE: ROB JONES  
 National Transportation Safety Board

APPEARANCES:

ROB JONES  
National Transportation Safety Board

LIAM LARUE  
National Transportation Safety Board

ERIC SAGER  
National Transportation Safety Board

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I N T E R V I E W

(1:00 p.m.)

MR. JONES: Today is November 18th, at approximately 1:00. We're interviewing Capt. Peter McIsaac --

CAPTAIN McISAAC: Yes.

MR. JONES: -- M-c-I-s-a-a-c.

CAPTAIN McISAAC: Yes, correct.

MR. JONES: And in attendance with him is Capt. Rick Hurt, H-u-r-t.

My name is Rob Jones. I'm the Operations Investigator for the NTSB with regards to the accident involving the Cosco Busan. With me is --

DR. SAGER: Eric Sager with the (indiscernible).

MR. LARUE: Liam Larue, NTSB.

MR. JONES: And we're here today just to talk to Captain McIsaac, who is the Port Agent for the San Francisco Bar Pilots with regard to their operation and just get a background of what they do here in the port.

## INTERVIEW OF CAPT. McISAAC

BY MR. JONES:

Q. And, Captain, if you could just, you know, the number of pilots, start off with something like that, and just a general feel for your operation here.

A. Okay. Well, currently or at least since 1992, we've had 60 pilots, sometimes a few more, sometimes a few less but that

1 number is set by our State Board of Pilot Commissioners, and it  
2 actually -- the did drop it down one time to 56 but we never got  
3 there, and business picked up in the interim, and so the number  
4 has been at 60 pretty much since '92 when we went up from 56. We  
5 moved -- last year we moved close to 10,000 moves. I think it was  
6 98, 200, something like that, and we have 60 pilots like I said.  
7 The pilots are divided into two watches, and at anytime obviously  
8 one watch is one. We work Wednesday through Wednesday. We change  
9 out at noon on Wednesday. So it's essentially eight days on, six  
10 days off because once you're liable Wednesday morning to go to  
11 work, depending on our sailing or our turn to time is actually set  
12 by the sailing time of the ship, and then that's turned to on the  
13 ship. So we could actually -- we back up our transportation from  
14 that. So even though we're going to work at noon, you can still  
15 leave to go to Sacramento, Stockton, depending on where the  
16 sailing is by 9:30 or 10:00 in the morning. So --

17 Q. Okay. And when they're one, when you're pilots are on  
18 for that one week schedule, what's the most they can work at a  
19 time? How many trips or what would be their working hours? More  
20 than 16? More than 18? Less than that?

21 A. In one turn you mean as far as --

22 Q. Yeah, before they, you know, what's the maximum they  
23 could possibly see in time aboard the ship? Like if they took the  
24 pilot back outside the Golden Gate, came in, would they rest for a  
25 little while, do another move, you know?

1       A.    Yeah, typically the way we work is we dispatch from the  
2   inside out.  So essentially you're dispatched to sailing, and you  
3   would take that -- if it's going to sea, you take that out, get  
4   off onto the pilot boat about 11 miles out and then you stay on  
5   the boat and once you're on the boat, you're still in your  
6   rotational spot.  So you would, you would be assigned to whatever  
7   vessel, you know, falls to you.  And sometimes it's only one way  
8   trips but a typical day is sail, wait out on the boat for a couple  
9   hours, bring one in.  If it's an escorted tanker, we have certain  
10  rules that kick in where we would change them off the front, just  
11  because they've already been working six to eight hours, something  
12  like that.  If it's a vessel that just -- you could be liable  
13  within 10 hours to take a vessel all the way up to New York Point  
14  which is about 45 --

15               CAPTAIN HURT:  42 miles.

16               CAPTAIN McISAAC:  -- 42 miles and then we would put on a  
17  river pilot.  We have another small boat up there that we change  
18  out.  Out of the 60 pilots, we have about 15 that are licensed for  
19  the rivers.  Most of us hold a federal license for the rivers but  
20  due to the limited amount of work, not everyone does it.  So as  
21  far as the longest day, you could end up with 16, 18 hours would  
22  be pretty much on the extreme end unless there was a problem, you  
23  know, like you got stuck in fog upriver where we could not change  
24  you out or something like that but on average, I would say that  
25  the typical day is somewhere around 10 to 11 hours, something like

1 that, and then when you finish, you go to what we call the bottom  
2 of the board, and then you start -- you're in the rotation again  
3 and then you just keep working your way down until you become the  
4 number one pilot and you're liable for that sailing. If you have  
5 less than 12 hours off in between assignments, you would -- we  
6 actually report that to the State Board of Pilot Commissioners on  
7 a monthly basis. We call that a MRP exception which is minimum  
8 rest period exception, and they track -- we track that. They  
9 track it, and obviously when we're busy or when we're training, we  
10 will have three pilots off, typically, you know, board pilots and  
11 then that would -- anytime you get the spikes in the business,  
12 then you end up with MRP exceptions. So --

13 BY MR. JONES:

14 Q. On the sailing out and then you wait on a pilot boat out  
15 there, 11 miles out approximately?

16 A. Yes.

17 Q. Do they sleep overnight there or is that just a --

18 A. Yes, yeah, we do have bunks out there --

19 Q. Yeah.

20 A. -- and some guys sleep, some guys can't, and typically  
21 it's, you know, well, typically it's not a long, you know, you  
22 don't get a night's sleep out there. You might get four hours,  
23 five hours. It's pretty rare that you get out there right at 2000  
24 and have a 0400 sailing, you know, or arrival.

25 Q. So then the typical -- a typical day is 10 to 11 hours,

1 and then to the bottom of the board, how much downtime or rest  
2 between the next typical day would a pilot have?

3 A. Well, that's a hard one, you know, because it is a -- it  
4 all depends on the traffic, you know, and the rivers, when the  
5 rivers are busy, you know, Stockton and Sacramento, they eat up a  
6 lot of manpower because they'll eat -- one of those jobs will use  
7 two, sometimes three pilots. So I would say the average time off  
8 is 14 hours, maybe 16 hours but sometimes it's as few as -- it's  
9 pretty rare to drop below 8 hours in between.

10 Q. Okay.

11 A. And then we're also, you know, work is somewhat  
12 cyclical. We've got a pretty good mix of business but in the  
13 spring and again in the -- pretty much May and October, we have  
14 all the cruise ships that are repositioning for Alaska and they  
15 all stop in here and they'll do cruises for the travel agents and  
16 stuff like that, but a lot of them have passengers when they come  
17 in but those, those months we get typically probably 40 additional  
18 calls and, you know, a lot of times we'll have two or three cruise  
19 ships in here at the same time. So that kind of spikes it as well  
20 when, you know, during May and October.

21 Q. Okay. What does it take to become a pilot here?

22 A. Well, you have to have two years of command time,  
23 minimum 1600 ton master's license and with two years of command  
24 time, and there's also in the regulation I believe you have to  
25 have at least two years of experience within the previous five



1 years. And that essentially is there -- I mean there's other  
2 stuff in there, but that gives you the minimum -- you have to meet  
3 that minimum standard to be eligible to take the test that's  
4 administered by the State Board of Pilot Commissioners. And going  
5 forward, I'll just say Commission.

6 Q. Uh-huh.

7 A. And once you -- the test is pretty comprehensive. It's  
8 a 100 question written exam and then a portion of those people,  
9 they actually have State of California cyclomatricians who are  
10 involved in that, and they take the group that is tested, last  
11 time I believe it was about 35, and then they'll determine where  
12 there's a break in there, kind of a definitive break between the  
13 top group and everybody else and they tell me that you can always  
14 find that break, and then -- so once they determine the break,  
15 last time I believe it was 23, 23 applicants were able to go to  
16 the simulator portion of the exam which is a 24 minutes simulator  
17 where you're actually -- or simulation of a generic port and you  
18 walk in and they just throw various events at you that you have to  
19 react to and they're all gradable obviously. So -- and then it  
20 goes through the same process again where the cyclomatricians will  
21 have a cutoff. I think the previous time we had 18 people that  
22 were on our list, which is good for three years, and then this  
23 time there was 10. We just went through that this past summer,  
24 and I think -- I believe we now have a new list of 10 potential  
25 trainees.

1 Q. Uh-huh.

2 A. And then once they get in the training program, assuming  
3 we need people obviously, the Commission will -- they actually  
4 contract with the Commission, not with the San Francisco Bar  
5 Pilots, and we oversee their training. Well, we participate in  
6 their training but it's actually overseen by a Commission  
7 committee called the Eval Committee which consists of pilots with  
8 at least 10 years of experience in the Bay. And the minimum  
9 training is one year. Maximum is three years, and they have to  
10 meet certain thresholds throughout that training.

11 CAPTAIN HURT: Do you want me to add to that? Just for  
12 accuracy's sake with regard to the selection process, is that it  
13 is a point total and there are points given for experience level,  
14 points given for the written exam results and points given for the  
15 simulator results and the total of those points is what -- is how  
16 they establish a list, and then they rank -- that's -- obviously  
17 gives them the ranking as well on the list.

18 BY MR. JONES:

19 Q. Okay. And once they become a pilot, is that, I remember  
20 the term on the East Coast, New York, full branch. So it's any  
21 type of ship. Do you have gradations of what size vessel and  
22 where they can go in the harbor?

23 A. Yes. We still assign them to whatever they -- typically  
24 whatever they fall to, we assign them to. There are some --  
25 there's a number of them that go in six month thresholds. So the

1 first six months, they're -- they end up -- there's a number of  
2 ships, especially the tankers, over 900 feet. I forget, but  
3 there's various things that click in and every six months they can  
4 do a little more by themselves. So typically they will still go  
5 do the work and we assign a senior pilot with them and typically  
6 we put them on in the Bay or I may put them on in the Bay  
7 according to the state regulation.

8 Q. And that's you managing that and not the Commission?

9 A. Right.

10 Q. Okay.

11 A. It's Commission regulation but it is -- we obviously do  
12 all the dispatching. So --

13 Q. Okay. And how long does it take for that pilot once  
14 they become one to handle anything in the harbor?

15 A. Two years.

16 Q. Two years.

17 A. And although the pilot always has the right to ask for  
18 assistance. So the pilot, you know, a pilot can ask if there's  
19 some job that he or she is not comfortable with, they can always  
20 ask me to supply a senior pilot or a specialized pilot, something  
21 like that. Let's say a shipyard maneuver.

22 CAPTAIN HURT: Like we did the other day.

23 CAPTAIN McISAAC: Yeah. Captain Miller, Tom Miller,  
24 he's from the tugboat side. It's a little more -- we're a little  
25 more used to doing flat toes and stuff like that. So -- and

1 actually I should talk about that for a minute. The group is --  
2 it used to be pretty much half and half, half tugboat, half deep  
3 sea. Now it's probably going more towards the tugboat side just  
4 because there's not too many deep sea mariners or not like there  
5 used to be. So we're having trouble attracting more of those and  
6 they're in high demand in other places as well. So --

7 DR. SAGER: Let me interrupt for just one moment.

8 BY DR. SAGER:

9 Q. I may have missed this, but once you've got your ranking  
10 on the list --

11 CAPTAIN HURT: Do you want us to identify ourselves as  
12 we start speaking?

13 MR. JONES: No, we're fine.

14 BY DR. SAGER:

15 Q. -- and the list is established by total points, do the  
16 cyclomatrixians then look at this final list and look for breaks  
17 in the ranking or -- Captain Hurt, you know.

18 A. Yes. The -- they actually establish the final list, and  
19 like I said, I believe 23 applicants took the simulator portion  
20 which is the last portion, and I think, you know, somewhere  
21 between number 10 and 11, there was an obviously break, and that's  
22 where they set it. We don't go in there and tell them, hey, we  
23 need a list of 15 or anything like that. They actually determine  
24 it and then that is recommended to the Commission and they accept  
25 essentially -- they don't certify it, but they accept it, and then

1 that's when it becomes the official list.

2 Q. So you don't know how many folks you're going to get.  
3 The Commission looks at that list and makes a selection based on  
4 the break. It may be 10 people. It might be eight. It might be  
5 15.

6 A. Right. And then this time there was 10, there was 10  
7 and it was just -- I mean the list just became official I believe  
8 in October, and the top three are going to start January 1.  
9 They're going to start in the training program January 1. So we  
10 try and, you know, we don't have a mandatory retirement, but we do  
11 sometimes an annual or semiannual survey. It's anonymous but the  
12 pilots, you know, you put in there approximately when you intend  
13 to retire and that's what we use to determine how many trainees we  
14 have at anyone time. We're behind the curve right now. There was  
15 a glitch in the system and it took -- they could not get  
16 permission -- the Commission could not get permission to add more  
17 trainees. So we're -- at the end of this year, we're -- we have  
18 six retirements and we only have one, one trainee that's going to  
19 be ready. So instead of working with 60, we're going to be  
20 working with 55.

21 Q. So the Commission factors the turnover, the anticipated  
22 turnover in the number that they select also?

23 A. Yes.

24 Q. Okay.

25 A. Well, not in the number they select. What they can do

1 for a number of years, when we were -- when we weren't having any  
2 retirements, they didn't even have a list because the list is  
3 only -- it only lasts for three years. So there wasn't any reason  
4 to go through the whole process and, you know, it's very time  
5 consuming and expensive to hold the interviews, well, the exam.  
6 So for, gee, probably three years, we didn't have a list. So --  
7 because literally the test has to be totally remade each time, you  
8 know, with new questions and there's panels that have to sit down  
9 and you no longer can have two possible answers and then all of  
10 the above or none of the above. They don't let us do that. They  
11 want four answers that are possible answers. So --

12 Q. Who's on the panel?

13 A. They use pilots, retired pilots, and obviously it's  
14 run -- the cyclomatrixians and the -- Pat Moloney, the Executive  
15 Director of the Commission, is involved in the making of the  
16 exams.

17 Q. And so you have three trainees?

18 A. Well, no, actually currently we have 11 trainees.

19 Q. All right. Who picked the 11?

20 A. The Commission.

21 Q. The Commission picked the 11?

22 A. Yes.

23 Q. You don't have any say in it?

24 A. Not really, no.

25 Q. Okay.

1           A.    We have -- obviously we have pilots that help create the  
2   exam but they don't -- no pilot works on all the components of the  
3   exam, you know, they have different pilots for the simulator  
4   portion and simulator pilots for the written exam, and they have a  
5   lot more questions than what is just -- and frankly, it's hard to  
6   come up with 100 new questions. A lot of times they just change  
7   the questions and they're not San Francisco specific. It's a  
8   very -- it's a tough process to get the exam together but I think  
9   it's probably one of the fairest exams anywhere in the country as  
10   far as -- I don't know. You probably took a couple of them,  
11   didn't you?

12                   CAPTAIN HURT:   Yeah.

13                   BY MR. JONES:

14           Q.    Could you compare it to the unlimited masters, which  
15   one's -- back in --

16           A.    Well, are we talking about the written exams or the  
17   whole process.

18           Q.    Not the whole process, maybe the written because the  
19   simulation really we didn't have.

20           A.    Yeah, the written process is much more pilot specific.

21           Q.    Okay.

22           A.    The -- I should say that the whole process is blind. In  
23   other words, applicants are assigned numbers. Nobody -- after  
24   those scores come out, nobody knows who that -- how that name  
25   matches that number until the entire process is over and the

1 Commission identifies applicants, but --

2 Q. Well, how about that then, just in very general terms,  
3 the whole process, which one's tougher? All the combined efforts  
4 of the pilot exam or the unlimited masters back when we might have  
5 been taking it?

6 A. It's hard to compare because the -- because of the --  
7 and the simulator element of the exam, it's a much more  
8 operational environment here really having to, you know, make  
9 decision making, whereas the preparation for the written exam is  
10 much more written preparation, where you go to books. The  
11 simulator is more how would you react to certain situations? So  
12 it's testing a different --

13 Q. Okay.

14 A. -- skill set.

15 Q. All right.

16 A. And I should point out that this has evolved over the  
17 years. I mean it's changed, you know, even 16, 17 years ago, when  
18 I took it, they didn't have the simulator portion of it. It was  
19 more you would literally come in there and there would be three  
20 guys at the desk and you put your feet on the duct tape and then  
21 they would essentially keep throwing questions, again they would  
22 give you a scenario and they would just keep running, throwing  
23 things at you and they want to see if you break or not and how you  
24 handle the stress. So -- and even before that, before the actual  
25 training program started in the mid eighties, it was more of a



1 political system, much more political than it is today. I mean  
2 it's apolitical now. So --

3 Q. All right. Well, let's move to -- what kind of -- once  
4 you become a pilot, what kind of training, recurrent training is  
5 there?

6 A. Every five years, we have to go through man model  
7 training of at least six days of length. Typically -- well, so  
8 far every year since this program started, you go to -- we've been  
9 going to what we call Port Rivel (ph.) which is now run by Sagria  
10 Company (ph.), which is an engineering firm in France, and then  
11 every three years, we go through bridge resource management  
12 training for pilots and various other things, like first aid,  
13 legal issues. We've done Ectus. We've done --

14 Q. How often Ectus?

15 A. We've only done Ectus once, and that was in this last  
16 cycle.

17 CAPTAIN HURT: The most recent cycle.

18 CAPTAIN McISAAC: Yeah, which we've all just completed  
19 now. So --

20 BY MR. JONES:

21 Q. About when?

22 A. Well, it's been a three-year cycle. So we just came to  
23 the end of that cycle. The cycle was probably -- we are  
24 stretching that cycle out to five years just because that's the  
25 standard for not only industry, but other pilot groups.

1 Q. So Ectus every five?

2 A. Well, Ectus is not mandatory. Some of the things --  
3 there are some things in there that are mandatory including the  
4 first aid, the bridge resource management for pilots.

5 Q. Radar.

6 A. No, radar is separately. You do that on your own.

7 Q. Okay.

8 A. And there are, you know, what we do is we try and change  
9 it based on the, on the most current technology. The other thing  
10 we added last time was Azipod simulation, you know, working with  
11 the Azipods.

12 Q. Yeah.

13 A. And same thing with the -- we changed the course for the  
14 man model training as well, added a lot more emergency ship  
15 handling. They now have tractor tugs that you can tether and they  
16 build the ship now with an Azipod system that you can operate as  
17 well. So it's constantly evolving. I mean we've got -- we have a  
18 very progress training program.

19 Q. Okay. And the radar, that's just keep up your own  
20 license?

21 A. Yes.

22 Q. And do you take any radar specific courses designed for  
23 the conditions you have here, predominantly in San Francisco,  
24 which you might not have if you were a pilot in Miami?

25 A. Not radar specific. We have, even with the man model

1 training, they set various portions of the lake up to replicate  
2 conditions with cross current and everything else, but not --  
3 nothing radar specific.

4 Q. Okay. So any radar for harbor training, you're doing on  
5 your own just to keep your license up? That's a minimum of every  
6 five. No differently than myself, keeping up my license?

7 A. Correct.

8 Q. So that radar can be just a one-day recert?

9 A. Half a day.

10 Q. Okay.

11 A. But, of course, especially the radar recertification  
12 with the -- I mean nobody uses a grease pencil anymore and that's  
13 why you do it, you know, you do it in a half day or you can just  
14 go take the exam. I mean that's one area that we as an industry  
15 and the regulators as well, we really need to look at that and  
16 make that more worthwhile, you know, because on our grease  
17 pencils, we use grease pencils once every five years.

18 Q. It's tough to find a ship that's got one now.

19 A. It's an obsolete skill. That's one of the things that  
20 need to be tested on.

21 Q. I'm sure you see them more than I have. I haven't seen  
22 a plottable radar screen in I don't know how long.

23 A. Yeah. So every five years.

24 Q. Yeah. Now the pilots themselves, with regards to maybe  
25 incidents or accidents that the -- that your members have or might

1 have, do you do any oversight or investigation into those  
2 accidents? Do you have any disciplinary control over the pilots?

3 A. Typically my role as Port Agent is I have to inform the  
4 Commission if there's anything -- well, if there's any incident,  
5 or obviously if I think that any drugs or alcohol, not even if  
6 there's an incident, but --

7 Q. You suspect.

8 A. -- yeah, if I'm suspicious of a pilot, I have to report  
9 that. And other behavior, I mean I've reported the guy, a pilot  
10 essentially through what I would almost consider a tantrum or went  
11 into a rage one time. It started on the pilot boat and ended up  
12 on a Navy ship, and I got statements from the commander on board  
13 the ship, and from the other pilots who were on board the pilot  
14 boat, and I was concerned that the guy, obviously there was  
15 something going on there, and I had to -- I wrote a letter to the  
16 Commission and essentially put him on the beach, and then they  
17 sent him through I believe a physical and mental evaluation. So  
18 typically I don't get involved, you know, I have to make the  
19 Commission aware and then they do the investigation part of it.

20 BY DR. SAGER:

21 Q. Who is they?

22 A. The Commission. Yeah, they have what they call the IRC,  
23 which is the Incident Review Committee --

24 Q. Uh-huh.

25 A. -- and then they also have investigators that they send

1 out to do the actual investigations. The investigators report to  
2 the IRC and then the IRC makes a recommendation to the full Board.

3 BY MR. JONES:

4 Q. And with regards to these incidences you report to the  
5 Board, do you have any knowledge or do they keep you informed of  
6 past -- like you just became Port Agent now, and does the Board  
7 keep you informed of any mishaps or anything they've done or  
8 actions taken against a pilot, so you might know which one's got a  
9 predominant, you know, predominantly has more or less or just a  
10 record of what's going on or is that kept private, just between  
11 the Board and the --

12 A. No, no. Actually the Board is supposed to, although  
13 it's sporadic, they -- after an incident is completed, the  
14 investigation, once it's gone through the whole process, they have  
15 a report and they are supposed to supply that to every pilot, you  
16 know, so that -- and then we get the, you know, they essentially  
17 come and distribute them. Each pilot has an individual mailbox.  
18 We haven't had any in a while, but it is a, you know, it is the  
19 function of the Executive Director that he is supposed to supply  
20 those reports as a lesson learned type event, and there have been  
21 times where part of the remedial action, you know, the Commission  
22 has sent pilots to additional training, to additional bridge  
23 resource management, required them to ride vessels to and from  
24 that berth if that was one of the issues. They've got various  
25 things, but they've even had them come and discuss the incident

1 with the trainees which meet typically once a month, and they'll  
2 do kind of a classroom session with the trainees, here's what I  
3 did wrong or, or, you know, whatever, just to talk about it, and  
4 as a lesson learned. So --

5 CAPTAIN HURT: And I think the findings become a matter  
6 of public records. There's people, you can sign up to receive the  
7 Commission's minutes and it will be sent to your house, so any  
8 wrongdoings, investigations, any findings, any punitive action, am  
9 I correct on that?

10 CAPTAIN McISAAC: Yes, and actually we have a pilot who  
11 does track them in an Excel spreadsheet ever since the  
12 amalgamation in the eighties, and it does show a significant  
13 decrease in the number of incidents and the number of times pilots  
14 have been found in error, especially since the advent of our  
15 current training programs or, you know, another training program  
16 or our continuing training. It's really made a difference.  
17 There's a lot of other things that go into that, you know, because  
18 the amalgamation, we used to have the Bar Pilots who typically  
19 didn't dock a ship. They would bring it to Alcatraz and then we'd  
20 have the Inland Pilots and we had Inland Pilots that were company  
21 specific pilots and once all that was put together in the mid  
22 eighties, obviously there was a steep learning curve for some of  
23 the Bar Pilots. So we did have, you know, the incident rate. We  
24 don't have data from before that, or at least I don't but, you  
25 know, the initial incident rate was fairly high. So it's shown a

1 definite downward trend.

2 BY MR. JONES:

3 Q. Are you the direct contact between the Board and the  
4 pilot groups?

5 A. Yes.

6 Q. I mean the pilot members?

7 A. Yes. And we do have two pilots who are on the Board,  
8 you know, the Board consists of essentially two pilots, two  
9 industry members, typically one -- well, it's actually specific,  
10 one wet cargo, one dry cargo, and then three public members. So  
11 there's seven total.

12 Q. Is that -- one of the pilots that's on, is that a  
13 current pilot or like a retired pilot?

14 A. No, they're both current pilots.

15 Q. Is one of them sitting at this table?

16 A. No.

17 Q. Okay. How would you describe your relationship with the  
18 Board?

19 A. It's actually pretty good, you know, as far as --  
20 especially with the President of the Board, you know, I think our  
21 goals are pretty much the same as far as, you know, the  
22 Commission -- it's been a very active Board, you know, right now  
23 it's -- I mean there's a lot of different issues we're dealing  
24 with, regulation and it's like, you know, making regulations kind  
25 of like making sausage, you know, the end result's okay but the

1 process isn't always pretty. So --

2 Q. One last question from me for now. Can you generalize  
3 the bridge resource management for pilots course? You  
4 membership's take on it. Do they embrace it? Is it like pulling  
5 teeth or is it somewhere in between? Can you describe it or would  
6 you like to describe it?

7 A. One of the problems is I believe, you know, is that the  
8 way the Coast Guard have, you know, they have to approve the  
9 course. So a lot of -- I tend to both -- I went through a very  
10 rigorous bridge resource management class and then I've been  
11 through I believe four bridge resource management for pilots. And  
12 there are some differences but it is a, you know, because I think  
13 the bridge resource management class is more like you're going to  
14 be part of the actual crew, whereas the pilots, you're dealing --  
15 you're kind of injected into their management practices. So it's  
16 a little different that way but most guys, and I actually told our  
17 Commission this numerous times, is that, you know, if pilots don't  
18 feel the training is valuable, I'm the first one to hear about it.  
19 And the problem, the problem with the bridge resource management  
20 for pilots or both of the courses, you know, the generic one and  
21 the one specific to pilots, is that, you know, we're still dealing  
22 with the Sunshine Skyway Bridge. I mean we go over the same  
23 incidents time and time again, and there should be almost a  
24 progressive type class where, you know, you go to the first one  
25 and five years later, a different one and, you know, a little bit



1 of review but some new information as well. And the first couple  
2 of times through it was not a problem, but guys are getting sick  
3 of doing the same, you know, case studies time and time again, and  
4 that's what needs to change I think to make it more relevant, and  
5 I don't quite know how to do that but it does need to, it does  
6 need to be tweaked. I mean you just can't keep sending people  
7 through the same stuff and then not have them check out mentally.  
8 You know, you've got to challenge them. So --

9 Q. Do you try to get that conveyed to either the schools or  
10 the facility you're going to?

11 A. We do but they're constrained by the, by the approval  
12 process because things have to meet, you know, certain things have  
13 to be in there that are mandated that they are in there. So  
14 apparently the approval process is somewhat onerous. I think it  
15 would be better if it was more of a -- instead of specific  
16 incidents or whatever, that they have more of a guideline and then  
17 let the schools tweak it especially the second and third time  
18 through.

19 Q. And I know I said that was the last question but I  
20 thought of one more. So I'm going to break my own rule here.  
21 What would you say is the percentage of foreign ships pulling into  
22 the Port of San Francisco as compared to American flag ships?

23 A. At least 90 percent, maybe even 95. You know, we do  
24 have a Matson, Sun Horizon, Line ships, yeah, I would say it's  
25 probably closer to 95 percent.

1           Q.   And if there was a language problem, what would -- how  
2   often do the pilots encounter that on a scale of 1 to 10 where it  
3   needs addressing or it's just something they can work through?

4           A.   It's pretty rare.  I mean, you know, as a pilot you  
5   learn to do a quick 15 second assessment as soon as you walk on a  
6   bridge, and just shaking the captain's hand and exchanging the  
7   pleasantries, you get a pretty good idea of, you know, does he  
8   speak and understand English and frankly, it's pretty, you know,  
9   if there is a problem, we're all used to breaking it down to the  
10  very basic seaman's language and it's not -- well, percentage-  
11  wise, you know, I don't see it as being that big of a problem.  I  
12  mean, you know, I've sat there and flipped my dispatch sheet over,  
13  draw pictures, do whatever you need to do to convey that.  Some of  
14  the -- the Asians are -- I think as far as having problems, I  
15  probably have more problems on Asian ships than any other one, but  
16  even that, you know, they'll have a mate that they can bring up if  
17  the captain doesn't speak English very well.  I really don't see  
18  it as being that big of a problem.  I mean they go to ports all  
19  over the world and deal with the same thing and pilots all over  
20  the world deal with the language barrier.

21          Q.   Right.

22          A.   So --

23          Q.   Okay.  I'm going to stop on that one.

24          A.   Okay.

25               MR. JONES:  Eric.  Or if you want to gather your

1 thoughts, we can go to Liam.

2 DR. SAGER: Well, I can pick it up here since we're  
3 right on the --

4 MR. JONES: Sure.

5 DR. SAGER: -- subject here. I wanted to develop some  
6 thoughts here.

7 BY DR. SAGER:

8 Q. The bridge resource management class is, is -- what  
9 class are you actually attending, are your pilots actually  
10 attending? What vendor?

11 A. Well, we've changed based on -- we've -- as far as the  
12 vendors, we've gone to Cal Maritime, CMA. We've gone to MSI,  
13 Marine Safety International in San Diego. This latest one is  
14 MITAGS. I expect the next one is going to be back to CMA since  
15 their new simulator center comes on line in March I believe. So we  
16 change -- we look -- like I said, we really try and make the  
17 courses relevant because otherwise it's just -- it's a waste of  
18 time. Nobody wants to go and waste a week somewhere. So -- and  
19 as the technology changes, we try and adjust the course  
20 accordingly.

21 Q. Who makes the decision what vendor is going to be used  
22 when you say go into a cycle, into training?

23 A. The Commission has a Training Committee, a Pilot  
24 Training Committee, and that -- and then they make a  
25 recommendation I believe to the full Board as to which, you know,

1 what the next cycle is going to consist of, where it's going to  
2 be. So essentially overall the Board does, but it essentially  
3 happens at the committee level. I've never seen the Board go  
4 against what the committee has recommended. So --

5 Q. Do you have a sense of what the committee considers in  
6 their selection?

7 A. The venue or --

8 Q. The vendor.

9 A. For the vendor?

10 Q. Yeah.

11 A. Well, a lot of it depends on what's available, what's  
12 new, what we're hearing this cycle towards, like last time, let's  
13 see, Conoco Phillips had -- what's the name of their tanker  
14 company?

15 CAPTAIN HURT: Are you talking about Polar.

16 CAPTAIN McISAAC: Polar. Polar Tankers had -- they just  
17 put about over \$1 billion into a new simulator at MITAGS, when we  
18 made the decision last time, and the Committee consists of  
19 essentially a pilot, you know, one of the pilot representatives on  
20 the Commission and one or two industry members. So I mean like  
21 right now I think it's Captain Eric Osen out of Chevron is the  
22 other Committee member. So we have people that are in the  
23 industry that go through the training and everything else actually  
24 making the decisions but a lot of it depends on what's out there,  
25 who can, who can offer the best facility and training for what

1 we're looking to accomplish in that cycle.

2 BY DR. SAGER:

3 Q. What would be the best training? What would you call  
4 the best training?

5 A. As far -- well, relevant training.

6 Q. Relevant to?

7 A. What we do, yeah, and obviously there's -- I think the  
8 training that is mandated by regulation is probably at least four  
9 and a half to five days. This last course was six and a half day,  
10 six days. So I mean we can lengthen it. The minimum I think  
11 would be four and a half days but we lengthen it if there's other  
12 stuff that we want to add to it. Another one we did at MITAGS  
13 this year over this cycle was human factors, and it was only about  
14 three hours but it was very interesting as far as, you know,  
15 dealing with sleep cycles and caffeine and various things like  
16 that, and relating. We actually changed some of the way we -- I  
17 changed the way I would wake up when I was on the pilot boat when  
18 I got called in the middle of the night as far as I always used to  
19 keep the lights down very low so that I would -- I didn't lose my  
20 night vision, but what I learned there was you want to get the  
21 lights on, open your eyes wide and absorb the light to stop the  
22 production of serotonin or --

23 CAPTAIN HURT: No, melatonin.

24 CAPTAIN McISAAC: -- melatonin. So they do try and --  
25 that's the best training and it varies to the vendor. You know,

1 like I say, this next time I think the best training, the best  
2 place for us is going to be up at Cal Maritime because they're  
3 going to have essentially a state of the art simulator, probably  
4 the best simulator, you know, in the world, if you listen to Dr.  
5 Bill Eisenhower. It's going to be a good system. Five years down  
6 the road, that's going to be dated. There will be something  
7 better somewhere else.

8 BY DR. SAGER:

9 Q. Presumably they'll have a different case history or  
10 different cases to work with? Same case?

11 A. Yeah, same, yeah, yeah. We've been to three different  
12 vendors the last three cycles and we pretty much have done the  
13 same thing each time.

14 Q. Apparently that seems to be determined by the approval  
15 process.

16 A. Yes. Although some of it, too, is the lack of  
17 accidents, you know, maybe that has something to do with it also.  
18 There haven't been, you know, up until the last couple of years,  
19 there really haven't been a lot of accidents. What they really  
20 like to examine is the error chain, you know, where you pick these  
21 things, you know, where you can identify throughout this what --  
22 where it started to go wrong and, you know, sometimes it started  
23 an hour or sometimes days before, you know, seemingly irrelevant  
24 actions all combined to, to complete the error chain. So --

25 Q. What's the body among the error chain, among your

1 pilots?

2 A. I think it's big. I think guys really --

3 Q. Does it make sense?

4 A. Sure. I've actually used it myself when I've seen, when  
5 I've seen something develop, you know, and sometimes it's just,  
6 you know, there's times when you pilot by your gut as far as if  
7 something doesn't seem right, if something starts to bother me,  
8 and I'm trying to justify why I'm doing it, then I step back and  
9 I'm like wait a minute, wait a minute. Do I really want to do  
10 this? Why don't I feel right about it? I think, I don't know, I  
11 think a lot of my guys have really learned from it, you know.

12 CAPTAIN HURT: It's an accepted principle.

13 CAPTAIN McISAAC: Yeah.

14 BY DR. SAGER:

15 Q. Rob mentioned or asked you about the language issue. A  
16 large portion of the vehicles you deal with are foreign crews.  
17 Most -- I understand most problems have been -- most of the  
18 language problems have been with Asian ships or that you  
19 anticipate more language issue -- more of a language issue on  
20 Asian ships.

21 A. Personally that's what I've had, you know.

22 Q. All right. What -- is that pretty much what you would  
23 hear across the board when you guys talk among yourselves? Is  
24 that pretty much shared that you have difficulty with the Asian  
25 vessels?

1           A.    I think so, and part of the problem is the culture as  
2 well as the language because a lot of times they will not tell you  
3 if you say is everything okay, you know, is there -- what's wrong  
4 with the engine? Often I don't have all the RPMs or it's okay,  
5 it's okay. They're not forthcoming. You know, they don't lie,  
6 they just -- they never want to admit that there is a problem  
7 sometimes with the -- Filipinos are very similar. They never want  
8 to say that we need to stop, you know, there's a problem here.  
9 So, you know, I don't know. Do you agree with that? I think  
10 it's --

11           CAPTAIN HURT: I would say there's a -- I don't know if  
12 it's a pride issue but to somehow say that there is something  
13 wrong, I sense that they feel that reflects on the entire  
14 operation of the ship, you know, I just -- they seem to be  
15 hesitant to come forward with that kind of -- and I'm not sure  
16 because there's such a language barrier, I mean once you get  
17 outside of professional terms, it's hard to totally understand it  
18 because the language explains the culture, and if you don't have  
19 access to the language to understand that culture more, it's, you  
20 know, it's an issue, but I would say, yeah, I would agree with  
21 that.

22           CAPTAIN McISAAC: Most pilots would agree with that,  
23 that -- it's just their culture, you know. It's the way they  
24 react to the questions I guess. One other point I should -- I'd  
25 like to make is that as far as the language issue goes, most of



1 the time the regular callers, you know, the TransPac Trade,  
2 TransPacific Trade container ships, they're in here every 30 days  
3 and they go to multiple U.S. ports typically. So for the most  
4 part, they speak and understand English at the basic level. The  
5 ones that we would have -- sometimes that you could have more  
6 problems with are the bulkers that are infrequent callers, that  
7 they're just going -- they're not on any set schedule. So the  
8 bulk ships are probably, I think that's where you run into more  
9 language difficulties than tankers or obviously passenger vessels,  
10 that's never a problem with language.

11 CAPTAIN HURT: If I could just add to that, it's because  
12 the regular callers know what the questions are going to be, and  
13 so they've prepared (indiscernible) with regard to traffic  
14 questions. They know the routines. So if there are language  
15 barriers, they're not as apparent because they're prepped for, for  
16 the vernacular of the port.

17 CAPTAIN McISAAC: And they've typically been here,  
18 they've been to that berth, they know when generally to hook up  
19 the tugboats, just all that kind of, you know, it's just --  
20 they're -- even a bulker may, you know, the guy may come here once  
21 a year but he could go to a different berth, up a different river.  
22 So it's quite different than a regular, you know, anybody who's a  
23 regular caller. So --

24 BY DR. SAGER:

25 Q. If I was -- are you familiar with the term advocacy,

1 advocacy training?

2 A. No.

3 Q. It doesn't ring a bell. In the sense of -- and  
4 continuing with this language for just a moment, would you -- do  
5 you see a reluctance on the part of some Asian crews to confront  
6 pilots when there's some kind of contradictory evidence? Perhaps  
7 they might see something out of the ordinary and they're reluctant  
8 to confront, not so much on a personal level but on a cultural  
9 level?

10 A. I don't think so. Well, you know, I've just never been  
11 in that situation myself where there was -- yeah, the ones that  
12 are -- there's a big difference between American crews and any  
13 foreign crew as far as, you know, being part of the bridge team.  
14 On a foreign crew, typically you're more -- you feel more in  
15 charge whereas on a U.S. -- with a U.S. crew, especially a tanker,  
16 an American tanker crew, you're more working in more of a  
17 partnership whereas on a foreign vessel you're the guy, and they  
18 typically don't question you. You know, they may have questions  
19 about tugboats and stuff like that but, you know, there's times  
20 when -- I mean I've had guys that it would be better had they  
21 asked, you know, because like if a tugboat, if the chock's not in  
22 the right place, you know, finally the tug will call and say, hey,  
23 they want me to put a line up here and it's not safe for me to do  
24 so and, you know, I'll ask the captain and he'll say, well, you  
25 said starboard bow, you know, and it's like, well, yeah, but I

1 didn't mean it had to be right above the stem, you know, because  
2 the tug can't work there safely whereas -- so, yeah, they don't  
3 typically -- they're not really confrontational, you know, whereas  
4 an American captain like this guy, he would have stepped right in  
5 and if there's, you know, if there's any comfort level or  
6 whatever, typically an American captain will say, all right, why  
7 are you doing this or are you sure you want to do it this way, the  
8 last time we did it this way. Rarely do you get that with a  
9 foreign crew.

10 CAPTAIN HURT: Can I answer that? Getting back to the  
11 Asians, you remember, you know, we don't have many Japanese  
12 captains anymore. We still see some on car ships, and I found  
13 that in my experience, LA and here, that the Japanese captains,  
14 although language challenged with regard to English, still seem to  
15 be quite forceful in what they wanted and how they wanted it done.  
16 So there's a culture -- in my layperson's opinion about cultures,  
17 there seems to be a cultural difference about -- between say a  
18 Japanese captain challenging and a People Republic of China  
19 captain challenging in my experience. Even though there was still  
20 a language barrier, I can remember captains -- Japanese captains  
21 wanting answers and it didn't matter how awkward the language was  
22 going to get, they pursued it until they got the answer.

23 CAPTAIN McISAAC: Well, the other thing they would do is  
24 they would suck air through their teeth, if they were something  
25 they were -- and you knew that they weren't happy with what you

1 just told them, and it's cultural. They wouldn't all do it but a  
2 lot of them would do that and as soon as they -- it's kind of a  
3 joke even amongst the pilots or anybody just because you do that  
4 and it's -- everybody knows exactly what you're doing because  
5 that's, you know, or shaking their keys in their pocket or  
6 something like that but almost all of them, if they weren't happy  
7 with something that you told them, they were --

8 CAPTAIN HURT: If I could explain it further, I would  
9 say that they seemed more confident with their authority on the  
10 bridge and the language, they didn't -- they weren't embarrassed  
11 in any way by not being able to communicate in English. They were  
12 confident in their authority to, to want more clarification on  
13 what was going on with regard to the passage or docking.  
14 Unfortunately you don't see them anymore. Very rarely do you see  
15 a Japanese captain.

16 DR. SAGER: Liam, were you going to talk or, Rob, were  
17 you going to talk a little about protocol the pilots establish,  
18 they board the vessel and what they do.

19 MR. LARUE: I was, but do you have more questions --

20 DR. SAGER: I was just going to cover it if you weren't  
21 but I think both of you are probably better --

22 MR. JONES: Well, I was going to cover it but if you'd  
23 like to pursue it.

24 BY MR. JONES:

25 Q. You can just give us a rundown of what you feel is

1 expected of you walking aboard a vessel obviously in reference to  
2 the master/pilot exchange.

3       A.    From what I've seen there's -- at least the pilots here,  
4 there's various levels of it. Some guys do a complete, what I  
5 would call a complete master/pilot exchange with an exchange of,  
6 you know, you get the vessel particular sheet, you give them a  
7 master/pilot exchange card, although the card, unless you really  
8 go through the card, it doesn't mean anything to them. It's just  
9 another piece of paper. So I typically would not give them a MPX  
10 card. I would go over, you know, it was a -- we would talk  
11 about -- typically I do it on a chart because that's something  
12 that they can get, especially if they've been there before. So I  
13 think most pilots will go through some form -- they will go  
14 through some form of master/pilot exchange but it varies, the  
15 levels vary considerably. Obviously, you know, we board a lot in  
16 the fog outside. It's very abbreviated at that point. You want  
17 information from them, you will give them information, once, you  
18 know, you're lined up for the channel, you've done all your radio  
19 calls and everything else. It's much more official on a loaded  
20 tanker that's going to have an escort because there's various  
21 things we have to do for that, various notifications we have to  
22 make, they have to have paperwork. So I think everybody does some  
23 form of master/pilot exchange but it does vary in the degree and  
24 it varies not only on the ship, if you're familiar with the ship,  
25 you know, when we do a lot of Matson work, we know them, they know

1 us. So I think -- well, that pretty much concludes it. I mean  
2 various levels of it and at times, you know, times, other jobs  
3 have to be talked through. Some of them vary, if there's just a  
4 typical sailing that the guy's done numerous times, then there's  
5 not near as much information exchanged as there is at other times.  
6 So --

7 Q. Okay.

8 A. That was not a very good answer but --

9 BY DR. SAGER:

10 Q. Do you have any policies for that?

11 A. No, nothing firm I don't believe.

12 CAPTAIN HURT: It is an element of our training program.  
13 Our trainees are expected to advise the captain such that he has a  
14 good understanding of what's going to happen where, current  
15 conditions, tide and current, call out times for his crew, certain  
16 things in the port required with regard to safety, standing by the  
17 anchors, man posted forward, vessel ready for immediate maneuver,  
18 those are all things that would be a common element of a  
19 master/pilot exchange. I think as Captain McIsaac said, the  
20 extent of the exchange is determined by what that captain's  
21 experience in this port is. Obviously if he's been and seen  
22 numerous turning ships in the inner harbor, you can be more  
23 cursory with what's going on. If he's never been here, then you  
24 take more time and explain the evolutions more clearly to him.

25 CAPTAIN McISAAC: And sometimes, especially if there is

1 a problem communicating or maybe there's other reasons for it, but  
2 I've seen multiple small exchanges rather than just one formal  
3 master/pilot exchange where you, you know, if you overwhelm them  
4 with too much information, if there's a language problem, then  
5 things tend to get jumbled. So you tell them, you know, you give  
6 them a 5 minute or, you know, captain, 30 minutes men forward for  
7 tugboats. You know, rather than tell them, captain, I would say  
8 get men forward for tugboats, because next thing you know it's men  
9 are forward for tugboats and you're not even to the Golden Gate  
10 Bridge yet. So, so, yeah, there are times when it's multiple mini  
11 exchanges as opposed to one real formal exchange. So --

12 DR. SAGER: And in the training, are you referring to  
13 the initial training?

14 CAPTAIN HURT: Yes.

15 DR. SAGER: As opposed to recurrent?

16 CAPTAIN HURT: It's documented. Each trip that a pilot,  
17 that a pilot trainee makes with an experienced pilot is a report  
18 card for lack of a better word, and there are elements spelled out  
19 on that report card, and one of those elements is, if I'm not  
20 mistaken, master/pilot exchange.

21 CAPTAIN McISAAC: Yeah.

22 CAPTAIN HURT: Or communication with master -- bridge  
23 communication as well as -- there's several elements of the job  
24 are spelled out on that report card.

25 MR. LARUE: I think I have one here. Is this the most

1 recent one?

2 CAPTAIN HURT: I believe so. I think it's from August  
3 of '07.

4 MR. LARUE: Okay. Because I hope I'm not --  
5 communications and internal. Yeah, they have just changed this a  
6 little bit but, yeah.

7 BY MR. LARUE:

8 Q. How about policies on talking to the tugs? Anything  
9 required as far as --

10 A. No, there's no policies on it. You know, typically you  
11 just talk to them at the start of the job. A lot of times, you  
12 know, let's say like on a sailing, you tell them, when you get  
13 people up there, make fast port bow, and then they don't talk to  
14 you unless there's a problem until they make fast, and then I've  
15 time to say, okay, dead slow ahead. There's not a lot of --  
16 unless it's a job going into a shipyard or backing in somewhere,  
17 then there's a lot more conversation, but if it's just a typical  
18 push/pull type job, it's very limited. Even during escorts,  
19 the -- there is times, you know, make the tug fast just outside  
20 the Golden Gate Bridge, hope you're going upriver. Every -- I  
21 mean there's been times where I haven't talked to them for an  
22 hour, and then I just kind of check in with them or they check in  
23 with me, just to check the radio or I'll walk out on the wing, see  
24 them, you know, just to make sure everything's okay, but no  
25 policy. Especially in an escort situation, you don't usually talk



1 to them unless you need them, and they don't talk to you unless  
2 there's a problem. So --

3 CAPTAIN HURT: And that's what you might even tell them  
4 is, you know, let me know if things are anyway uncomfortable  
5 during the course of the escort.

6 BY MR. LARUE:

7 Q. Okay. I have a couple of other questions about the  
8 trainee program that I want to get clarified. So the minimum time  
9 is one year.

10 A. Yes.

11 Q. Maximum is three years. Is there a minimum number of  
12 turns you have to do in that one year?

13 A. Yeah, there is, and there's actually a minimum number  
14 you have to do with eval pilots, and you have to maintain a  
15 certain GPA during the last six months prior to being considered.  
16 And I can't really tell you exact numbers because it's been  
17 tweaked over the years but I think the minimum is 400.

18 CAPTAIN HURT: The Commission would have that --

19 CAPTAIN McISAAC: Yeah.

20 CAPTAIN HURT: -- available for you. The eval pilots,  
21 neither one of us are eval pilots. Eval pilots become very versed  
22 in it because it's the guideline for grading and get pilots ready,  
23 you know, the next level.

24 BY MR. LARUE:

25 Q. Eval pilots, they're the ones that are required to have

1 10 years.

2 A. Yes.

3 Q. And then they're on that committee?

4 A. Yeah, they're actually -- they're pilots here, but  
5 they're employed by the State or by the Commission I guess. They  
6 actually are a Commission committee.

7 Q. Okay.

8 A. I'll tell you what, that's the one point, the one part  
9 of that program I don't like inasmuch as they have to maintain  
10 that GPA. So what is happening, what happens -- it didn't used to  
11 be that way. You know, it was more of an overall picture based on  
12 the eval member's experience. Well, the guys are working towards  
13 points now. So they shy away from the real -- there's times  
14 towards the end of your training when you want to go and hit the  
15 hardest jobs.

16 Q. Uh-huh.

17 A. Well, those are the ones where you run the most risk of  
18 getting dinged on a card and so guys are shying away from it, and  
19 that is one thing that I've talked to the Eval Committee about is  
20 that I think that, you know, those guys, you want them out there  
21 doing the toughest stuff at that point before you turn them loose.  
22 So --

23 CAPTAIN HURT: Yeah, it would almost be better if we  
24 just -- if they got to a certain point and then say, okay, you  
25 know, here's your -- we've appointed you and now we just want you

1 to focus on things you wouldn't otherwise see.

2 CAPTAIN McISAAC: Right.

3 CAPTAIN HURT: We don't have control over that.

4 BY MR. LARUE:

5 Q. Now how do they determine, you say you've gotten to that  
6 one year point, and you've done your turns. Is it based on a  
7 ranking or a score that determines whether or not you're good to  
8 go after a year or --

9 A. Yes. It's a score and obviously there has to be a  
10 position open as well. I mean we have guys that are, you know,  
11 stayed in there 3 years and were probably ready at 18 months but  
12 there just wasn't an opening. So then they continue to train. So,  
13 yeah, it is based -- but a lot of it, it's also -- it's not only  
14 the point total but it's the comments and, you know, a lot of it  
15 is not on the card, you know, but it's essentially kind of a  
16 consensus. You know, you have to have the minimum that are on the  
17 card as well, but there is a consensus, you know, which is  
18 somewhat subjective at times but, you know, it is a -- you know, I  
19 haven't sat in on one of these -- I don't sit in on everyone of  
20 them. I sit in on maybe one meeting a year just because, you  
21 know, they've been -- they're doing a great job of it, and the one  
22 thing, you know, the overriding theme is you never appoint a guy  
23 until he's ready even if there is a need, you know, and January  
24 1st, there's a real need, and they're just -- we don't have  
25 anybody ready other than the one guy. So --

1           Q.    What happens if you've got a guy that gets to three  
2 years and you've got a spot open but he's not ready. Are they  
3 dropped out of the program? Is it that three years? You get to  
4 that three years and you're done or --

5           A.    Then they would get a completion certificate. They have  
6 had -- we have had some problems in the past. One guy actually  
7 threatened legal action against the Board. He got to I think it  
8 was 18 -- no, 24 months, and he just wasn't cutting it. I mean it  
9 was problem after problem and they kicked him out essentially and  
10 then he or he washed him out -- washed himself out is what he did,  
11 and then he ended up saying that, you know, there was a three year  
12 commitment and you should have waited until three years, but I  
13 don't remember what happened, but they did prevail, and they  
14 have -- a lot of guys, you know, a lot of guys have turned, even  
15 if they're having problems initially, 18 months seems to be a  
16 turning point. So they usually leave them in there at least 18  
17 months to determine that, whether or not he's going to click over  
18 and start getting it.

19           CAPTAIN HURT: If I could add to that, just also, the  
20 way that they turn pilots, trainees, too, they try -- oftentimes  
21 they're getting pilotage so that they can do the training, and  
22 they'll try to get them up and working as quickly as possible so  
23 that if there's any issues, you know, about a fundamental issue --  
24 abilities, then those are identified early in a program rather  
25 than having somebody train for three years and then realize

1 they're not up to it. You try to identify that early on.

2 CAPTAIN McISAAC: A lot of times -- well, from what I've  
3 seen anyway, is that it's not ship handling issues as much as not  
4 being able to process all the various information that's coming  
5 in, you know, because you have to be able to multitask and guys  
6 get too -- they'll get tunnel vision on one aspect or just their  
7 ship, not taking into consideration all the other information and  
8 that's where I think guys have had -- the guys that have washed  
9 out, that's where a lot of them have run into problems. They just  
10 can't handle the big picture or deal with the big picture.

11 BY MR. LARUE:

12 Q. Okay. And then once you have received your pilot's  
13 license, state pilot's license, you said there's a six month step  
14 basically?

15 A. Uh-huh.

16 Q. And I want to clarify, there's three of those?

17 A. Six months, twelve months and eighteen, yeah, and then  
18 at twenty-four, you're --

19 Q. You can do anything.

20 A. Yes.

21 Q. And then that's based on rank or tonnage or a  
22 combination?

23 A. Combination. I can get you that sheet if you want or I  
24 don't know if you've interviewed the Commission yet, but it's not  
25 only that, but it's geography. I mean they don't do shipyard.

1 They don't do passenger vessels.

2 CAPTAIN HURT: Class as ship as well.

3 MR. LARUE: Okay.

4 CAPTAIN McISAAC: Yeah. Class, size and location.

5 BY MR. LARUE:

6 Q. Okay. Are pilots, after they're out of the training  
7 program, are they continued -- do you continue to evaluate them at  
8 any point after that?

9 A. No.

10 Q. So the only time anything would ever come up with a  
11 pilot is if there was an incident of some sort of --

12 A. Yes.

13 Q. Okay. Let's see.

14 A. And actually that system has worked. Guys have had --  
15 we've had two in recent memory where skills were starting to  
16 diminish. They had a couple of incidents and essentially they  
17 were threatened with suspension or revocation by the Commission  
18 and they elected to retire instead. So it's not a regular review  
19 but it is -- it's fairly obvious when guys start, you know, when  
20 their skills start to fail. So --

21 Q. Okay. And then as the Port Agent, what are your -- kind  
22 of going back, what are your day-to-day type duties and --

23 A. Well, I'm involved, you know, I'm tasked by the State  
24 with the oversight and management of the pilot organization and  
25 the finances. We do collect surcharges for Commission. One's an

1 operating surcharge to fund the Commission. The Commission is all  
2 funded by the ships. There's no general State funds in there, and  
3 we collect training surcharges. So we have to do that on a  
4 monthly basis and, and submit a report to the Commission. And  
5 obviously if there's any issues with a pilot, I have to inform the  
6 Commission as well, if it's something that's, you know, making me  
7 uncomfortable. So -- and I'm kind of the ultimate dispatcher  
8 according to the -- in the regulatory pyramid, regulation as well.

9 Q. All right.

10 MR. LARUE: That's it.

11 DR. SAGER: I've got a couple of more.

12 MR. JONES: Okay.

13 BY DR. SAGER:

14 Q. What is a GPA?

15 A. The level --

16 Q. What is GPA?

17 A. Grade point average.

18 Q. And what -- what's the range for it?

19 A. It's 0 to 5 --

20 CAPTAIN HURT: Yes.

21 CAPTAIN McISAAC: -- with 1 being unsatisfactory to 5  
22 being excellent. So they have to maintain a good or better --

23 BY DR. SAGER:

24 Q. Good or better.

25 A. -- essentially in the last so many months.

1           Q.    Good or better.  You suggested that might serve as a  
2   disincentive to --

3           A.    Well, they -- I think it does inasmuch as they tend to  
4   go towards the job they're more comfortable with as opposed to --  
5   well, let me say that my concern is that that's what happens.  I  
6   mean if would be the rule of nature, if I was in their shoes, I  
7   would be doing the same thing.  I'd be shying away from something  
8   that, you know, I had only done once or seen once or something  
9   like that and going with the, you know, heading out in the open  
10   which I do on a weekly, you know, which I do probably twice a  
11   week.  So --

12           CAPTAIN HURT:  I'm going to disagree with you.

13           CAPTAIN McISAAC:  Okay.

14           CAPTAIN HURT:  I just -- and I came through it fairly  
15   recently but Pete's been here a lot longer but I haven't -- the  
16   reason I'm disagreeing is because I haven't seen it.  I know that  
17   the guys that I've trained with and the people I've seen trained  
18   recently really want to get any anxious moments out of the way  
19   while they're in the training program, and while they have  
20   somebody there to help them through those anxious moments.  And  
21   really the GPA just -- once they got to a certain level, they just  
22   weren't thinking too much about it but that's -- I'm just throwing  
23   it out there, from what I've seen, I haven't ever seen somebody  
24   handicapping the list to see what they could do that's going to  
25   keep their GPA up, but I could be naïve.



1 BY DR. SAGER:

2 Q. How are the pilots paid, first as trainees and then as  
3 pilots?

4 A. Trainees are paid by the State which is yet another  
5 surcharge. So that when we have trainees, it's a per move charge  
6 to each vessel. I think it's \$7 per move per trainee. So  
7 essentially \$77 right now for each vessel move would be assessed,  
8 and that would be go on the training program. And they are paid a  
9 stipend of \$5,000 per month.

10 CAPTAIN HURT: I don't know. It's changed since I went  
11 through the program.

12 CAPTAIN McISAAC: I think it is \$5,000. I think it was  
13 \$4200 and now it's \$5,000 per month. Once you're -- once you  
14 become a pilot, there is no -- they don't differentiate between a  
15 first year pilot and third year pilot. It's essentially after all  
16 the bills are paid, we divvy up what's left, like any other  
17 business. It's not a salary per say. It's more of a profit  
18 sharing I guess.

19 BY DR. SAGER:

20 Q. For the Association?

21 A. Yes.

22 Q. On the Association level. All right. You said that  
23 it's more or less obvious when skills begin to fail of a pilot.  
24 What, what becomes obvious?

25 A. Well, there's times -- I think the incident rate will go

1 up, the type of incidents. You know, we don't have -- frankly, I  
2 printed off a sheet that shows our incident rate, and I think it's  
3 2006 or 7 reportable incidents. So I'll say that it's probably  
4 fairly obvious to fellow pilots. It may not be fairly obvious on  
5 the outside, you know, and I think your peers always judge you  
6 harsher than anybody else will just because, you know, that's --  
7 your professionalism is on the line as well as theirs. So I think  
8 the obvious part is, you know, just in talking to them in meeting  
9 situations, that there's confusion in the voice that wasn't there  
10 before and, you know, word gets around as well, you know, as far  
11 as if guys are starting to have problems.

12 Q. Starting to have problems -- what kind of problems?

13 A. Typically age related, you know, as far as their -- just  
14 not, not being aware, you know, the awareness issue of what else,  
15 the whole picture, if they start getting tunnel vision or  
16 something like that. I mean it's typically not from actual ship  
17 handling or docking the vessel, you know. Guys don't -- I mean  
18 that's a -- I don't know, if you've been doing it for 15, 20, 30  
19 years, it's, you know, it's not something that you typically  
20 forget. That's when you're most focused.

21 Q. It's a tough question, I realize.

22 A. Yes, it is, and, you know, there's been various -- like  
23 the State of Alaska posts, Valdez (ph.) actually tried a simulator  
24 evaluation of pilots where they would go down to the Star Center  
25 in Florida every five years. That didn't work out. So they

1 actually stopped -- they just stopped. They did one cycle of it,  
2 and apparently, you know, it was expensive and it just didn't give  
3 them any good information. So, you know, the other issue is, in  
4 the State of California, trying to get a mandatory retirement age,  
5 that's been an issue over the years. We used to have -- the State  
6 used to have a retirement age but now, you know, I think the  
7 State's afraid of lawsuits or whatever. So we don't have a  
8 mandatory retirement age. And there's a number of us who feel  
9 there should be at a certain point. So -- they do have within the  
10 State, you know, we have to get a physical, there's a step process  
11 in the regulation as well, and after the age of 50, we have to  
12 take an annual physical, that is the results are -- but it's  
13 essentially kind of a fit for duty physical. You know, you go  
14 through the whole physical but the only thing they send to the  
15 State Board Pilot Commission is just a fit or not. So, so that  
16 does ramp up a little bit but not as a -- and I think most other  
17 states are probably pretty similar, that as you get older you have  
18 to at least get physicals more often. I don't know if I answered  
19 your question.

20 Q. I think you did.

21 A. Okay.

22 CAPTAIN HURT: We also have a, we also have a rough  
23 pilotage ground, and as pilots get up in years, I think there's an  
24 anxiousness on the part of their associates watching them perform  
25 on those ladders, you know, so just, just throwing that out there,

1 we worry about them, you know.

2 CAPTAIN McISAAC: Yeah, and that may not be diminishing  
3 piloting skills but the physical skills on the ladder, that's  
4 more -- and that's very easy to see typically and we will get --  
5 we have had times where, you know, I've had to tell guys, if  
6 anybody comes to me, especially crew and says, he's no good on the  
7 ladder anymore or he's worse on the ladder than he was, then I'll  
8 sit down with the guy, but I can't, you know, it's his life that  
9 he's risking. So I can't really just tell him -- it's never got  
10 to that point yet anyway. But that is a concern, but it also  
11 tends to get guys out of there because I think you're physical  
12 skills start to diminish sooner than your mental skills and that  
13 tends to get them out as well. So --

14 BY MR. JONES:

15 Q. The accident pilot, what is going on with him now?  
16 Could he -- has his license been held? Is he -- could he sail a  
17 ship tomorrow?

18 A. He could but I won't assign him. Like I said, I'm kind  
19 of the ultimate dispatcher and I do dispatch the pilots but  
20 there's nothing that says that I have to dispatch certain pilots.

21 Q. So there would be -- there's no regulation, there's  
22 nothing keeping him right now except for yourself?

23 A. Right. The Commission actually has a -- they can --  
24 what do they call that? A summary suspension. There is a process  
25 in the code where they can do a summary suspension. They have to

1 file charges within six days of the incident and then I think they  
2 have 40 days to actually hold a hearing, and so, yeah, the only  
3 thing keeping him is essentially me not assigning him at this  
4 point.

5 Q. Okay.

6 A. As far as I know, his federal license is still good and  
7 his state license is still good. So --

8 Q. Okay.

9 BY DR. SAGER:

10 Q. And this is not written criteria in any way. This is  
11 your judgment?

12 A. Yes. Yeah, I've done it in the past and we actually  
13 did -- you know what? I should also tell you that one of the  
14 pilots that we had concerns with, he was in his seventies, and he  
15 had gone off and had heart surgery with complications. He went  
16 under general anesthesia like I believe four times in six months,  
17 and he was off about nine months. He wanted to come back to work,  
18 and I was very concerned with that, you know, and so what I did  
19 was I worked with the Commission, I told them that, you know, I've  
20 got some real concerns here, and we actually did put him through  
21 a -- not a training program, but an assessment program where he  
22 rode with members of the Evaluation Committee, and he was one of  
23 the ones we elected to essentially retire. I was not going to  
24 assign him on his own and the Commission, you know, I wasn't in on  
25 the private meetings, but essentially it was -- my understanding

1 is that he was told that, you know, they would go for revocation  
2 if he wanted to go back to work, and so then he just elected to  
3 retire. But that was the first time we had used that process.  
4 That was about four years ago, and it did, it did work, you know,  
5 as far as the guy, he was the only one around who didn't think he  
6 needed to retire, and it took a while for him to figure out that  
7 he did need to retire. So --

8 MR. JONES: Okay. Captain, Captains, we're done. We'll  
9 conclude the interview. Thanks again.

10 (Whereupon, the interview in the above-entitled matter  
11 was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           The Investigation of the Cosco  
                                  Busan/Bridge Allision  
                                  San Francisco, California  
                                  Interview of Capt. Peter McIsaac  
                                  And Capt. Rick Hurt

DOCKET NUMBER:           DCA-08-MM-004

PLACE:                    Washington, D.C.

DATE:                     November 18, 2007

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been compared to  
the recording accomplished at the hearing.

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Kathryn A. Mirfin  
Transcriber